

EXHIBIT B

(Filed Under Seal)

NATIONAL REGISTERED AGENTS, INC.

SERVICE OF PROCESS SUMMARY TRANSMITTAL FORM

To: SHIRIN SCHOKRPUR
UBER TECHNOLOGIES, INC.
1455 Market St Fl 4
San Francisco, CA 94103-1355

SOP Transmittal # **526459239**

213-337-4615 - Telephone

Entity Served: UBER TECHNOLOGIES, INC. (Domestic State: DELAWARE)

Enclosed herewith are legal documents received on behalf of the above captioned entity by National Registered Agents, Inc. or its Affiliate in the State of CALIFORNIA on this 26 day of January, 2015. The following is a summary of the document(s) received:

1. **Title of Action:** The People of the State of California, Pltf. vs. Uber Technologies, Inc., etc., Dfts.
2. **Document(s) Served:** Other: First Set of Demand, Notice(s), Proof(s) of Service, Attachment(s),
Notice Of: Related Case
3. **Court of Jurisdiction/Case Number:** San Francisco County - Superior Court - San Francisco, CA
Case # CGC14543120
4. **Amount Claimed, if any:** N/A
5. **Method of Service:**

<input checked="" type="checkbox"/> Personally served by:	<input checked="" type="checkbox"/> Process Server	<input type="checkbox"/> Deputy Sheriff	<input type="checkbox"/> U. S Marshall
<input type="checkbox"/> Delivered Via:	<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Regular Mail	<input type="checkbox"/> Facsimile
<input type="checkbox"/> Other (Explain):			
6. **Date and Time of Receipt:** 01/26/2015 11:20:00 AM CST
7. **Appearance/Answer Date:** None Specified
8. **Received From:** Ernst A. Halperin
San Francisco District Attorney's
Office
732 Brannan Street
San Francisco, CA 94103
415-551-9545
9. **Federal Express Airbill #** 772724358682
10. **Call Made to:** Not required
11. **Special Comments:**
SOP Papers with Transmittal, via Fed Ex 2 Day
Image SOP
Email Notification, SALLE YOO LEGAL@UBER.COM

NATIONAL REGISTERED AGENTS, INC.

CopiesTo:

Transmitted by Nancy Flores

The information contained in this Summary Transmittal Form is provided by National Registered Agents, Inc. for informational purposes only and should not be considered a legal opinion. It is the responsibility of the parties receiving this form to review the legal documents forwarded and to take appropriate action.

ORIGINAL

1/26/15
1/20/15

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15 *Attorneys for Plaintiff,*
16 The People of the State of California

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 CITY AND COUNTY OF SAN FRANCISCO
19 UNLIMITED JURISDICTION

20 THE PEOPLE OF THE STATE OF
CALIFORNIA,

21 Plaintiff,

22 vs.

23 UBER TECHNOLOGIES, INC., a Delaware
Corporation; RASIER, LLC, a Delaware
24 Limited Liability Company; RASIER-CA,
25 LLC, a Delaware Limited Liability Company;
and DOES 1 through 100, inclusive,

26 Defendants.
27

Case No. CGC-14-543120

THE PEOPLE OF THE STATE OF
CALIFORNIA'S FIRST SET OF
DEMANDS FOR PRODUCTION OF
DOCUMENTS

DATE ACTION FILED: December 9, 2014

TRIAL DATE: None Yet Set.

1 PROPOUNDING PARTY: THE PEOPLE OF THE STATE OF CALIFORNIA

2 RESPONDING PARTY: UBER TECHNOLOGIES, INC.

3 SET NO. ONE

4 TO DEFENDANT UBER TECHNOLOGIES, INC., AND ITS ATTORNEYS OF RECORD:

5 Plaintiff The People of the State of California hereby demands, pursuant to California Code
6 of Civil Procedure section 2031.010, that defendant Uber Technologies, Inc. ("Defendant")
7 provide written responses to these Requests for Production and produce the DOCUMENTS
8 described below at the Office of the San Francisco District Attorney, 732 Brannan Street, 2nd
9 Floor, San Francisco, California 94103 no later than 4:00 p.m. on the 30th calendar day after
10 service of these demands for production of documents.

11 DEFINITIONS

12 1. "DOCUMENT" has the meaning defined in California Code of Civil Procedure
13 section 2016.020(c), and includes ESI, as well as any "writing" as that term is defined in
14 California Evidence Code section 250, which defines "writing" to mean handwriting, typewriting,
15 printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile,
16 and every other means of recording upon any tangible thing, any form of communication or
17 representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and
18 any record thereby created, regardless of the manner in which the record has been stored.

19 2. "ELECTRONIC" means relating to technology having electrical, digital, magnetic,
20 wireless, optical, electromagnetic, or similar capabilities, as defined in California Code of Civil
21 Procedure section 2016.020(e).

22 3. "ESI" means "ELECTRONICALLY STORED INFORMATION" as that term is
23 defined in California Code of Civil Procedure section 2016.020(e).

24 4. "YOU" or "YOUR" refers to defendant UBER TECHNOLOGIES, INC. and anyone
25 acting on UBER TECHNOLOGIES, INC.'s behalf, and includes but is not limited to principals,
26 owners, agents, employees, insurance companies, attorneys, investigators, accountants, and
27 predecessors in interest or entities to whose liabilities UBER TECHNOLOGIES, INC. has

1 succeeded.

2 **INSTRUCTIONS**

3 1. DOCUMENTS that were originally attached (e.g. stapled, attached as a “post-it,”
4 etc.) must be produced in that same format.

5 2. DOCUMENTS should be identified according to the numbered request to which
6 they respond.

7 3. Any DOCUMENTS stored electronically must be produced in a reasonably useable
8 format that preserves the integrity of the data, including all metadata associated with the
9 DOCUMENTS. Contact the San Francisco District Attorney’s Office in advance of
10 production to discuss the most efficient format for production of electronically stored data. In
11 general, electronically stored DOCUMENTS must be produced in the original electronic file
12 format in which they were created (e.g., Microsoft email should be provided in its original
13 format, which would have the .pst suffix, not in a .tiff file; spreadsheets should be in their
14 original file form, such as an Excel file; and word-processed documents should be in their
15 original file format, such as Word or WordPerfect file), together with instructions and all other
16 materials necessary to use or interpret the data. ESI must be accompanied by an identification
17 of the generally available software needed to open and view the documents, and, if necessary,
18 a copy of the software. If an electronically stored DOCUMENT is a non-identical copy (e.g. it
19 lacks a signature, handwritten notation, or other mark or attachment found on the original or
20 paper version), both the electronically stored DOCUMENT and the original DOCUMENT
21 must be produced.

22 4. If YOUR structured data systems, including databases, contain information
23 responsive to these Requests for Production, output of responsive information should be
24 exported to an electronic data file and produced in reasonably usable form. Contact the San
25 Francisco District Attorney’s Office in advance of production to discuss the most efficient
26 format for production. YOU must provide information about the structure of the reported data
27 sufficient to allow the requesting party to utilize the data, including providing information

1 about the field names, properties, and identifying information concerning the database
2 program or programs used to manage the information.

3 5. If YOU or counsel assert that any information or response herein requested is
4 privileged or otherwise protected from disclosure, set forth in YOUR written response with
5 respect to each document, communication or thing for which a claim of privilege is made: (a)
6 the place, approximate date, and manner of recording, creating or otherwise preparing the
7 document, communication or thing; (b) the name and organizational position, if any, of each
8 sender, recipient, custodian or person participating in the preparation or creation; and (c) a
9 statement of the basis on which the privilege is claimed with respect to each document,
10 communication or thing and whether or not its contents are limited solely to legal advice or
11 information provided for the purpose of securing legal advice.

12 6. This set of demands for production includes a demand for all relevant
13 DOCUMENTS in the personal files of all YOUR officers, employees, accountants, agents and
14 representatives (including sales agents who are independent contractors) and attorneys,
15 including, but not limited to, files contained on laptops, smart phones, cell phones, iPad's
16 tablet computing devices, home computers and home files.

17 DEMANDS FOR PRODUCTION OF DOCUMENTS

18 1. All versions of YOUR website at (www.Uber.com) since its inception through the
19 date of YOUR response to these demands for production of documents.

20 2. All versions of YOUR user "Terms and Conditions" posted on YOUR website from
21 the inception of YOUR website through the date of YOUR response to these demands for
22 production of documents.

23 3. All versions of YOUR "Privacy Policy" posted on YOUR website from the inception
24 of YOUR website through the date of YOUR response to these demands for production of
25 documents.

26 4. All versions of the "Safety" page of YOUR website, currently located at
27 (www.uber.com/safety), from the page's inception through the date of YOUR response to these

1 demands for production of documents.

2 5. All versions of the “Uber Background Checks” blog entry, currently located at
3 (<http://blog.uber.com/driverscreening>), from the blog entry’s inception through the date of YOUR
4 response to these demands for production of documents.

5 6. All versions of the “What is the Safe Rides Fee” support page entry on YOUR
6 website, currently located at ([https://support.uber.com/hc/en-us/articles/201950566-What-is-the-](https://support.uber.com/hc/en-us/articles/201950566-What-is-the-Safe-Rides-Fee-)
7 [Safe-Rides-Fee-](https://support.uber.com/hc/en-us/articles/201950566-What-is-the-Safe-Rides-Fee-)), from the support page’s inception through the date of YOUR response to these
8 demands for production of documents.

9 7. All versions of the “SFO Update” blog entry, currently located at
10 (<http://blog.uber.com/SFO-update>), from the blog entry’s inception through the date of YOUR
11 response to these demands for production of documents.

12 8. All versions of the “What is this charge for a toll” support page entry on YOUR
13 website, currently located at ([https://support.uber.com/hc/en-us/articles/201836666-What-is-this-](https://support.uber.com/hc/en-us/articles/201836666-What-is-this-charge-for-a-toll)
14 [charge-for-a-toll](https://support.uber.com/hc/en-us/articles/201836666-What-is-this-charge-for-a-toll)) from the support page’s inception through the date of YOUR response to these
15 demands for production of documents.

16 9. All versions of the “Uber Policy Whitepaper 1.0” blog entry, currently located at
17 (<http://blog.uber.com/2013/04/12/uber-policy-white-paper-1-0/>) from the blog entry’s inception
18 through the date of YOUR response to these demands for production of documents.

19 10. All DOCUMENTS reflecting, referring, or relating to the concept of “regulatory
20 disruption.” For purposes of these document requests the term “regulatory disruption” refers to the
21 concept by that name which Travis Kalanick discussed during a visit to the Massachusetts Institute
22 of Technology Sloan School of Management that was reported on or about November 3, 2013 on
23 the Sloan School of Management’s website at ([http://mitsloan.mit.edu/newsroom/2013-travis-](http://mitsloan.mit.edu/newsroom/2013-travis-kalanick.php)
24 [kalanick.php](http://mitsloan.mit.edu/newsroom/2013-travis-kalanick.php)).

25 11. All DOCUMENTS containing the phrase “regulatory disruption.”

26 12. All DOCUMENTS referring to, relating to, or containing any statement by Travis
27 Kalanick concerning the safety of YOUR services.

1 13. All DOCUMENTS referring to, relating to, or containing any statement by Travis
2 Kalanick concerning background checks of drivers (including criminal history and Department of
3 Motor Vehicle records checks).

4 14. All DOCUMENTS referring to, relating to, or containing any statement by Travis
5 Kalanick concerning YOUR "Safe Rides Fee."

6 15. All DOCUMENTS referring to, relating to, or containing any statement by Travis
7 Kalanick concerning YOUR "Airport fee toll" charged to consumers who traveled to or from any
8 California airport from the inception of the Airport fee toll through the date of your response to
9 these requests for production of documents.

10 16. All DOCUMENTS referring to, relating to, or containing any statement by Philip
11 Cardenas concerning the safety of YOUR services.

12 17. All DOCUMENTS referring to, relating to, or containing any statement by Philip
13 Cardenas concerning background checks of drivers (including criminal history and Department of
14 Motor Vehicle records checks).

15 18. All DOCUMENTS referring to, relating to, or containing any statement by Philip
16 Cardenas concerning YOUR "Safe Rides Fee."

17 19. All DOCUMENTS referring to, relating to, or containing any statement by any
18 spokesperson for Uber - including but not limited to Laura Altmin, Eva Behrend, Lane Kasselmann,
19 and the person identified as "Tess" on the August 19, 2013 SFO UPDATE
20 (<http://blog.uber.com/SFO-update>) - concerning the safety of YOUR services.

21 20. All DOCUMENTS referring to, relating to, or containing any statement by any
22 spokesperson for Uber - including but not limited to Laura Altmin, Eva Behrend, Lane Kasselmann,
23 and the person identified as "Tess" on the August 19, 2013 SFO UPDATE
24 (<http://blog.uber.com/SFO-update>) - concerning background checks of drivers (including criminal
25 history and Department of Motor Vehicle records checks).

26 21. All DOCUMENTS referring to, relating to, or containing any statement by any
27 spokesperson for Uber - including but not limited to Laura Altmin, Eva Behrend, Lane Kasselmann,

1 and the person identified as "Tess" on the August 19, 2013 SFO UPDATE
2 (<http://blog.uber.com/SFO-update>) - concerning YOUR "Safe Rides Fee."

3 22. All DOCUMENTS referring to, relating to, or containing any statement by any
4 spokesperson for Uber - including but not limited to Laura Altmin, Eva Behrend, Lane Kasselmann,
5 and the person identified as "Tess" on the August 19, 2013 SFO UPDATE
6 (<http://blog.uber.com/SFO-update>) - concerning YOUR "Airport fee toll" charged to consumers
7 who traveled to or from any California airport from the inception of the Airport fee toll through the
8 date of your response to these requests for production of documents.

9 23. All of YOUR organizational charts.

10 24. All charts reflecting the structure and/or interrelationships of YOUR parent,
11 subsidiary, and related companies.

12 25. All DOCUMENTS referring to, relating to, or containing information provided to
13 Baidu, Inc. in connection Baidu, Inc.'s investment in YOU that was announced by Travis Kalanick
14 in a press conference on or about December 17, 2014, including but not limited to any offering
15 memorandum and Powerpoint presentations and their exhibits.

16 26. All DOCUMENTS referring to, relating to, or containing communications with
17 investment bankers in connection with Baidu, Inc.'s investment in YOU.

18 27. All DOCUMENTS referring to, relating to, or containing information provided to
19 potential investors in the financing round YOU announced in a blog entry by Travis Kalanick
20 dated June 6, 2014 (<http://blog.uber.com/4years>) in which YOU stated that YOU "have just closed
21 a financing round with some of the leading investors in the world, raising \$1.2B of primary capital
22 at a \$17B pre-money valuation," including but not limited to any offering memorandum and
23 Powerpoint presentations and their exhibits.

24 28. All DOCUMENTS referring to, relating to, or containing communications with
25 investment bankers in connection with the financing round announced in YOUR blog entry dated
26 June 6, 2014 (<http://blog.uber.com/4years>), including any exhibits or DOCUMENTS referenced in
27 such Powerpoint presentations.

1 29. All DOCUMENTS referring to, relating to, or containing information provided to
2 potential investors in the financing round YOU announced on or about December 4, 2014,
3 including but not limited to any offering memorandum and Powerpoint presentations and their
4 exhibits.

5 30. All DOCUMENTS referring to, relating to, or containing communications with
6 investment bankers in connection with the financing round YOU announced on or about December
7 4, 2014,

8 31. All DOCUMENTS showing the number of drop-offs of Uber passengers at each
9 California airport made by drivers in vehicles without a Transportation Charter Party ("TCP")
10 permit from the California Public Utilities Commission in each year from the inception of YOUR
11 business through the date of YOUR response to these requests for production of documents.

12 32. All DOCUMENTS showing the number of pick-ups of Uber passengers at each
13 California airport made by drivers in vehicles without a Transportation Charter Party ("TCP")
14 permit from the California Public Utilities Commission in each year from the inception of YOUR
15 business through the date of YOUR response to these requests for production of documents.

16 33. All DOCUMENTS which show how YOU determine the charge for the
17 transportation requested by Uber passengers through YOUR online-enabled smartphone
18 application ("the Uber App").

19 34. All DOCUMENTS which describe any device, instrument, or contrivance used to
20 determine the charge for the transportation requested by Uber passengers through the Uber
21 App or any instrument, device, or contrivance that Uber uses to calculate customer fares.

22 35. All DOCUMENTS showing the number of Uber passenger trips in California for
23 each year from the inception of your business through the date of YOUR response to these
24 requests for production of documents.

25 36. All DOCUMENTS showing the number of Uber passenger customer fares calculated
26 in California using the Uber App for each year from the inception of your business through the
27 date of YOUR response to these requests for production of documents.

1 37. If YOU contend that the Uber App technology has been approved by the
2 California Department of Food and Agriculture, all DOCUMENTS that support this
3 contention.

4 38. If YOU contend that the Uber App technology is not a weighing, measuring, or
5 counting instrument or device, as that term is used in California Business and Professions
6 Code section 12500.5, all DOCUMENTS that support this contention.

7 39. If YOU contend that the Uber App technology may be used for commercial
8 purposes in California without the technology having first been approved by the California
9 Department of Food and Agriculture, all DOCUMENTS that support this contention.

10 40. All DOCUMENTS referring to, relating to, or containing communications between
11 YOU and any California government entity that refer to the certification, approval or
12 evaluation of any technology that is used to determine the charge for the transportation
13 requested by Uber passengers through the Uber App.

14 41. All DOCUMENTS referring to, relating to, or containing communications by
15 YOUR officers, directors, employees, consultants or agents that refer to the certification,
16 approval or evaluation of any technology that is used to determine the charge for the
17 transportation requested by Uber passengers through the Uber App.

18 42. All DOCUMENTS referring to, relating to, or containing communications with
19 airport authorities or airport managers concerning YOUR operations at California airports,
20 including but not limited to cease-and-desist letters.

21 43. All DOCUMENTS that YOU contend constitute authorization by any airport
22 authority in California for YOU to conduct operations on or into that airport's property. The
23 terms "authorization," "airport authority" and "operations" have the same meaning in this
24 request as they do in the California Public Utilities Commission Rulemaking 12-12-11
25 Decision 13-09-045 ("Decision 13-09-045").

26 44. If you contend that YOU did not violate Decision 13-09-045 by operating at
27 California airports without authorization by the airport authority involved, all DOCUMENTS

1 supporting this denial.

2 45. All DOCUMENTS referring to Decision 13-09-045.

3 46. Any and all DOCUMENTS referring to, reflecting, or containing communications
4 between YOU and any Uber Driver, including but not limited to statements published or
5 posted on YOUR website or blogs regarding whether Uber Drivers are permitted to operate at
6 any airport in California. For purposes of these document requests the terms "Uber Drivers"
7 has the same meaning you ascribe to people you refer to as "Partners" on YOUR webpage at
8 (<https://get.uber.com/drive/>).

9 47. All DOCUMENTS referring to, discussing or evidencing the payment of any
10 citations issued to Uber Drivers for operating at a California airport without authorization by
11 the airport authority involved.

12 48. All DOCUMENTS referring or relating to any ticket, citation, impound of vehicle,
13 warning, or similar document, received by an Uber Driver for operating at any airport in
14 California from the inception of YOUR business to the date of YOUR response to these
15 demands for production of documents.

16 49. All DOCUMENTS referring to the April 2013 cease-and-desist letter to YOU
17 from San Francisco International Airport's Deputy Airport Director for Operations.

18 50. All DOCUMENTS referring to an Airport Fee Toll in California.

19 51. All DOCUMENTS showing, demonstrating or evidencing that Uber passengers in
20 California were charged an Airport Fee Toll in the exact amount of any airport fees that Uber
21 drivers were charged as part of that particular passenger's trip.

22 52. All DOCUMENTS showing, demonstrating or evidencing the steps that Uber took
23 and takes to ensure that Uber passengers were charged an Airport Fee Toll in the exact amount
24 of any airport fees that Uber Drivers were charged as part of that particular passenger's trip.

25 53. All receipts issued to Uber passengers in which an Airport Fee Toll was charged to
26 the passenger.

27

1 54. For each receipt requested in the immediately preceding demand for production,
2 above, all DOCUMENTS evidencing, showing or demonstrating the amount the relevant Uber
3 Driver was charged by the airport or its governing body.

4 55. All DOCUMENTS authored by, received by, or in the possession of Philip
5 Cardenas referring or relating to YOUR background check process or proposed improvements
6 to YOUR background check process.

7 56. All DOCUMENTS referring to or constituting the contracts between YOU and any
8 provider of background check services to YOU, including but not limited to contracts with
9 Hirease, Inc.

10 57. All DOCUMENTS referring to, relating to, or containing communications between
11 YOU and any provider of background check services to YOU, including but not limited to
12 contracts with Hirease, Inc.

13 58. All DOCUMENTS referring to or constituting YOUR contract with Giuliani
14 Partners for an audit of Uber's driver background check process and related systems that YOU
15 announced in YOUR blog post dated July 15, 2014 (<http://blog.uber.com/safest-rides>).

16 59. All DOCUMENTS referring to, relating to, or containing communications between
17 YOU and Giuliani Partners concerning the Giuliani Partners audit of Uber's driver background
18 check process and related systems.

19 60. All reports and drafts of any reports from Giuliani Partners concerning the audit of
20 Uber's driver background check process and related systems.

21 61. All DOCUMENTS referring to, relating to, or containing communications between
22 YOU and Rudolph Giuliani.

23 62. All DOCUMENTS that show or evidence exactly what the background check
24 process of Uber Driver applicants described on YOUR webpage at
25 (<https://www.uber.com/safety>) consisted of, at all times during YOUR operations in California.

26 63. All DOCUMENTS that show or evidence what criteria are used to deny the
27 application of a person applying to become an Uber Driver, at all times during Uber's

1 operations in California.

2 64. All DOCUMENTS evidencing, reflecting or relating to each and every time, if
3 any, that YOU have conducted a follow-up or updated criminal history, driving history or
4 sexual offender registration check, or any other type of background check, on any Uber Driver
5 after that driver was accepted as an Uber Driver.

6 65. All DOCUMENTS evidencing, reflecting or relating to YOUR response or
7 comments to Assembly Bill 612.

8 66. All DOCUMENTS referring to, relating to, or containing any communications
9 between and among YOUR officers, employees, agents, lobbyists and public relations persons,
10 and any communications between YOU and any California legislators.

11 67. All DOCUMENTS evidencing, reflecting or relating to any communications
12 between and among YOUR officers, employees and agents concerning, discussing, or
13 mentioning fingerprint-based or other biometric-based background checks.

14 68. All DOCUMENTS referring to or relating to any instances in which a person that
15 has not been approved to be an Uber Driver has used the account of an approved Uber Driver
16 to offer or provide rides to YOUR customers, i.e., activity sometimes referred to by YOU as
17 "account sharing."

18
19 DATED: January 16, 2014

GEORGE GASCÓN
District Attorney, City and County of San Francisco

20
21
22 BY: 

Ernst A. Halperin
Assistant District Attorney

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 Los Angeles, CA 90012

16 *Attorneys for Third Party The People of the State of California*

17
 18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 MATTHEW PHILLIBEN, et al.,

21 Plaintiffs,

22 vs.

23 UBER TECHNOLOGIES, INC., et al.,

24 Defendants.

Case No. 4:14-CV-05615-DMR

THE PEOPLE OF THE STATE OF
 CALIFORNIA'S NOTICE OF RELATED
 CASE UNDER CALIFORNIA RULE OF
 COURT 3.300.

1 Third party, the People of the State of California, by George Gascón, District Attorney for
2 the City and County of San Francisco, and Jackie Lacey, District Attorney for the County of Los
3 Angeles hereby submit the enclosed Notice of Related Case pursuant to California Rule of Court
4 3.300.

5 DATED: January 16, 2015

6 GEORGE GASCÓN
7 District Attorney, City and County of San Francisco

8 BY: /s/ Ernst A. Halperin

9 Ernst A. Halperin
10 Assistant District Attorney
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CM-015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Ernst A. Halperin (Bar # 175493) San Francisco District Attorney's Office 732 Brannan Street, San Francisco, CA 94103 TELEPHONE NO.: 415-551-9545 FAX NO. (Optional): 415-551-9504 E-MAIL ADDRESS (Optional): ernst.halperin@sfgov.org ATTORNEY FOR (Name): THE PEOPLE OF THE STATE OF CALIFORNIA	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME:	
PLAINTIFF/PETITIONER: The People of the State of California DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CASE NUMBER: CGC-14-543120 JUDICIAL OFFICER:
NOTICE OF RELATED CASE	DEPT.:

Identify, in chronological order according to date of filing, all cases related to the case referenced above.

1. a. Title: **Vamsi Tadepalli v. Uber Technologies, Inc.**
 b. Case number: **CGC-14-543032**
 c. Court: ☒ same as above
☐ other state or federal court (name and address):
 d. Department:
 e. Case type: ☐ limited civil ☒ unlimited civil ☐ probate ☐ family law ☐ other (specify):
 f. Filing date: **December 3, 2014**
 g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No
 h. Relationship of this case to the case referenced above (check all that apply):
☐ involves the same parties and is based on the same or similar claims.
☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
☐ involves claims against, title to, possession of, or damages to the same property.
☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
☒ Additional explanation is attached in attachment 1h
 i. Status of case:
☒ pending
☐ dismissed ☐ with ☐ without prejudice
☐ disposed of by judgment
2. a. Title: **Matthew Philliben, et al. v. Uber Technologies, Inc., et al.**
 b. Case number: **4:14-CV-05615-DMR**
 c. Court: ☐ same as above
☒ other state or federal court (name and address): **United States District Court, N.D. California**
 d. Department:

CM-015

PLAINTIFF/PETITIONER: The People of the State of California	CASE NUMBER:
DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CGC-14-543120

2. (continued)

e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☒ other (specify): FRCP 23

f. Filing date: December 23, 2014

g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No

h. Relationship of this case to the case referenced above (check all that apply):

- ☐ involves the same parties and is based on the same or similar claims.
- ☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- ☐ involves claims against, title to, possession of, or damages to the same property.
- ☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☒ Additional explanation is attached in attachment 2h

i. Status of case:

- ☒ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

3. a. Title: Andrea Pappey v. Uber Technologies, Inc.

b. Case number: 3:15-CV-00064-EDL

c. Court: ☐ same as above☒ other state or federal court (name and address): United States District Court, N.D. California

d. Department:

e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☒ other (specify): FRCP 23

f. Filing date: January 6, 2015

g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No

h. Relationship of this case to the case referenced above (check all that apply):

- ☐ involves the same parties and is based on the same or similar claims.
- ☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- ☐ involves claims against, title to, possession of, or damages to the same property.
- ☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☒ Additional explanation is attached in attachment 3h

i. Status of case:

- ☒ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

4. ☐ Additional related cases are described in Attachment 4. Number of pages attached: _____

Date: January 15, 2015

Ernst A. Halperin

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)



(SIGNATURE OF PARTY OR ATTORNEY)

CM-015

PLAINTIFF/PETITIONER: The People of the State of California	CASE NUMBER:
DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CGC-14-543120

**PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF RELATED CASE**

(NOTE: You cannot serve the Notice of Related Case if you are a party in the action. The person who served the notice must complete this proof of service. The notice must be served on all known parties in each related action or proceeding.)

1. I am at least 18 years old and not a party to this action. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (specify):
732 Brannan Street, San Francisco, CA 94103
2. I served a copy of the Notice of Related Case by enclosing it in a sealed envelope with first-class postage fully prepaid and (check one):
 - a. ☒ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
3. The Notice of Related Case was mailed:
 - a. on (date): January 16, 2015
 - b. from (city and state): San Francisco, California
4. The envelope was addressed and mailed as follows:

<ol style="list-style-type: none"> a. Name of person served: Nanci Clarence (Atty for Defs 14-543120) Street address: 889 Ellis Street City: San Francisco State and zip code: CA 94109 b. Name of person served: John Roddy (Atty for Pf, CGC-14-543032) Street address: 125 Summer St., Suite 1030 City: Boston State and zip code: MA 02110 	<ol style="list-style-type: none"> c. Name of person served: Todd Schneider (Att for Plaintiff, CGC-14-543032) Street address: 180 Montgomery Street, Suite 2000 City: San Francisco State and zip code: CA 94104 d. Name of person served: Pedro Jaile (Atty for Plaintiff, CGC-14-543032) Street address: 188 Summer Street City: East Boston State and zip code: MA 02128
--	--

☒ Names and addresses of additional persons served are attached. (You may use form POS-030(P).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 16, 2016

Vadim Rotberg

(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

MC-025

SHORT TITLE: PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CASE NUMBER: CGC-14-543120
---	-------------------------------

ATTACHMENT (Number): 1h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced People v. Uber Technologies, Inc., et al., (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On December 3, 2014, Tadeballi v. Uber Technologies, Inc. (CGC-14-543032) was commenced in San Francisco Superior Court as a putative class action against Uber Technologies Inc. The Tadeballi action is brought on behalf of a class of California residents. In the complaint, the plaintiff sets forth eight causes of action all related to Uber's practice of charging a \$4.00 "SFO Airport Fee Toll." The plaintiff's first cause of action arises under California Business and Professions Code section 17200, et seq., and the plaintiff seeks injunctive relief, as well as restitution, interest, and attorneys' fees.

The People's enforcement action and the Tadeballi lawsuit have only one thing in common: the Tadeballi action seeks to remedy one of the five unlawful business practices that are at issue in the People's enforcement action. There will likely be similar discovery sought and exchanged in both actions on this particular claim only. Otherwise, the actions will differ substantially. By way of example, the plaintiff in the Tadeballi action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, the unlawful airport fee toll, which represents the entirety of the private plaintiff's case, is but one of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 4 of 7

(Add pages as required)

Form Approved for Optional Use
Judicial Council of California
MC-025 (Rev. July 1, 2009)

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov

MC-025

SHORT TITLE: PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CASE NUMBER: CGC-14-543120
---	-------------------------------

ATTACHMENT (Number): 2h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced *People v. Uber Technologies, Inc., et al.*, (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber's makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On December 23, 2014, *Philliben, et al., v. Uber Technologies, Inc., et al.*, (14-CV-05615-DMR) was commenced in the United States District Court for the Northern District of California as a putative class action against Uber Technologies, Inc., and Rasier LLC. The *Philliben* action is brought on behalf of a nationwide class. The *Philliben* complaint includes allegations related to only two of the five unlawful business practices at issue in the People's enforcement action: (1) Uber's practice of misrepresenting to consumers its "Safe Rides Fee;" and (2) the nature and character of the background checks and safety measures conducted in association therewith. Plaintiff alleges violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. Plaintiff seeks restitution and/or disgorgement, injunctive relief, interest, costs, and attorneys' fees.

The People's enforcement action and the *Philliben* lawsuit have only two things in common: both actions advance the claim that Uber misleads consumers as to the nature and character of its background checks, and that Uber unlawfully charges a "Safe Rides Fee." There will likely be similar discovery sought and exchanged in both actions on these two claims only. Otherwise, the actions will differ substantially. By way of example, the Plaintiff in the *Philliben* action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, Uber's misrepresentations as to its background checks and the unlawful "Safe Rides Fee," which represent the entirety of the private Plaintiff's case, are but two of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Furthermore, since *Philliben* hopes to represent a nationwide class, the geographic scope of the cases will vary significantly. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 5 of 7

(Add pages as required)

Form Approved for Optional Use
Judicial Council of California
MC-025 (Rev. July 1, 2009)

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov

MC-025

SHORT TITLE:	CASE NUMBER:
PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CGC-14-543120

ATTACHMENT (Number): 3h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced *People v. Uber Technologies, Inc., et al.*, (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On January 6, 2015, *Andrea Pappey v. Uber Technologies, Inc.* (15-CV-00064-EDL) was commenced in the United States District Court for the Northern District of California as a putative class action. The Pappey action is brought on behalf of a nationwide class or, in the alternative, a Massachusetts subclass. The Pappey complaint includes allegations related to only two of the five unlawful business practices at issue in the Enforcement Action: (1) Uber's practice of misrepresenting to consumers its "Safe Rides Fee;" and (2) the nature and character of the background checks and safety measures conducted in association therewith. The plaintiff alleges violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The plaintiff also advances claims for breach of implied contract and unjust enrichment. The plaintiff seeks damages, injunctive relief, costs and attorneys' fees, as well as other relief.

The People's enforcement action and the Pappey lawsuit have only two things in common: both actions advance the claim that Uber misleads consumers as to the nature and character of its background checks, and that Uber unlawfully charges a "Safe Rides Fee." There will likely be similar discovery sought and exchanged in both actions on these two claims only. Otherwise, the actions will differ substantially. By way of example, the plaintiff in the Pappey action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, Uber's misrepresentations as to its background checks and the unlawful "Safe Rides Fee," which represent the entirety of the private plaintiff's case, are but two of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Furthermore, since Pappey hopes to represent a nationwide class, the geographic scope of the cases will vary significantly. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 6 of 7

(Add pages as required)

POS-030(P)

SHORT TITLE	People v. Uber Technologies, Inc., et al.	CASE NUMBER CGC-14-543120
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ATTACHMENT TO PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL (PERSONS SERVED)

(This Attachment Is for use with form POS-030)

NAME AND ADDRESS OF EACH PERSON SERVED BY MAIL:

<u>Name of Person Served</u>	<u>Address (number, street, city, and zip code)</u>
Laurence F. Pulgram (Defendant, CGC-14-543032)	Fenwick & West LLP, 555 California Street, 12th Floor, San Francisco, CA 94104
Mike Arias (Plaintiffs, 4:14-CV-05615-DMR)	Arias, Ozzello & Gignac, LLP, 6701 Cener Drive West, Suite 1400, Los Angeles, California 90045-7504
Steven D. Liddle (Plaintiffs, 4:14-CV-05615-DMR)	Liddle & Dubin, P.C., 975 E. Jefferson Avenue, Detroit, Michigan, 48207
Tina Wolfson (Plaintiff, 3:15-CV-00064-EDL)	Adhoot & Wolfson, PC, 1016 Palm Ave., West Hollywood, California, 90069
Uber Technologies, Inc., Rasier-CA, LLC, Rasier, LLC	National Registered Agents, Inc., 818 West Seventh Street, 2nd Floor, San Francisco, CA 90017

1 GEORGE GASCÓN, SBN 182345
District Attorney of San Francisco
2 JUNE D. CRAVETT, SBN 105094
Assistant Chief District Attorney
3 EVAN H. ACKIRON, SBN 164628
Managing Assistant District Attorney
4 ERNST A. HALPERIN, SBN 175493
Assistant District Attorney
5 NANCY TUNG, SBN 203236
Assistant District Attorney
6 GREGORY M. ALKER, SBN 204838
Assistant District Attorney
7 PHOEBE MAFFEL, SBN 271346
Assistant District Attorney
8 SEAN M. KILEY, SBN 282075
Assistant District Attorney
9 732 Brannan Street
San Francisco, California 94103
10 Telephone: (415) 551-9545

11 JACKIE LACEY, SBN 110808
District Attorney of the County of Los Angeles
12 STANLEY PHILLIP WILLIAMS, SBN 106658
Head Deputy District Attorney
13 HOON CHUN, SBN 132516
Assistant Head Deputy District Attorney
14 JEFFREY MCGRATH, SBN 131702
Deputy District Attorney
15 201 N. Figueroa Street, Suite 1200
Los Angeles, CA 90012

16 *Attorneys for Third Party The People of the State of California*

17
18 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

19 ANDREA PAPPEY,

20 Plaintiff,

21 vs.

22 UBER TECHNOLOGIES, INC.,

23 Defendant.
24
25
26
27

Case No. 3:15-CV-00064-EDL

THE PEOPLE OF THE STATE OF
CALIFORNIA'S NOTICE OF RELATED
CASE UNDER CALIFORNIA RULE OF
COURT 3.300.

1 Third party, the People of the State of California, by George Gascón, District Attorney for
2 the City and County of San Francisco, and Jackie Lacey, District Attorney for the County of Los
3 Angeles hereby submit the enclosed Notice of Related Case pursuant to California Rule of Court
4 3.300.

5 DATED: January 16, 2015

GEORGE GASCÓN

District Attorney, City and County of San Francisco

7 BY: /s/ Ernst A. Halperin

Ernst A. Halperin

Assistant District Attorney

UBER-MDL3084-000053431

CM-015

PLAINTIFF/PETITIONER: The People of the State of California	CASE NUMBER:
DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CGC-14-543120

2. (continued)

- e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☒ other (specify): FRCP 23
- f. Filing date: December 23, 2014
- g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No
- h. Relationship of this case to the case referenced above (check all that apply):
- ☐ involves the same parties and is based on the same or similar claims.
- ☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- ☐ involves claims against, title to, possession of, or damages to the same property.
- ☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☒ Additional explanation is attached in attachment 2h
- i. Status of case:
- ☒ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

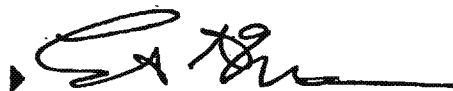
3. a. Title: Andrea Pappey v. Uber Technologies, Inc.
- b. Case number: 3:15-CV-00064-EDL
- c. Court: ☐ same as above
- ☒ other state or federal court (name and address): United States District Court, N.D. California
- d. Department:
- e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☒ other (specify): FRCP 23
- f. Filing date: January 6, 2015
- g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No
- h. Relationship of this case to the case referenced above (check all that apply):
- ☐ involves the same parties and is based on the same or similar claims.
- ☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- ☐ involves claims against, title to, possession of, or damages to the same property.
- ☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☒ Additional explanation is attached in attachment 3h
- i. Status of case:
- ☒ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

4. ☐ Additional related cases are described in Attachment 4. Number of pages attached: _____

Date: January 15, 2015

Ernst A. Halperin

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)



(SIGNATURE OF PARTY OR ATTORNEY)

CM-015

PLAINTIFF/PETITIONER: The People of the State of California	CASE NUMBER:
DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CGC-14-543120

**PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF RELATED CASE**

(NOTE: You cannot serve the Notice of Related Case if you are a party in the action. The person who served the notice must complete this proof of service. The notice must be served on all known parties in each related action or proceeding.)

1. I am at least 18 years old and not a party to this action. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (specify):
732 Brannan Street, San Francisco, CA 94103
2. I served a copy of the Notice of Related Case by enclosing it in a sealed envelope with first-class postage fully prepaid and (check one):
 - a. ☒ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
3. The Notice of Related Case was mailed:
 - a. on (date): January 16, 2015
 - b. from (city and state): San Francisco, California
4. The envelope was addressed and mailed as follows:

a. Name of person served: Nanci Clarence (Atty for Defs 14-543120) Street address: 889 Ellis Street City: San Francisco State and zip code: CA 94109	c. Name of person served: Todd Schneider (Att for Plaintiff, CGC-14-543032) Street address: 180 Montgomery Street, Suite 2000 City: San Francisco State and zip code: CA 94104
b. Name of person served: John Roddy (Atty for Pf, CGC-14-543032) Street address: 125 Summer St., Suite 1030 City: Boston State and zip code: MA 02110	d. Name of person served: Pedro Jaile (Atty for Plaintiff, CGC-14-543032) Street address: 188 Summer Street City: East Boston State and zip code: MA 02128

☒ Names and addresses of additional persons served are attached. (You may use form POS-030(P).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 16, 2016

Vadim Rotberg

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

MC-025

SHORT TITLE: PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CASE NUMBER: CGC-14-543120
---	-------------------------------

ATTACHMENT (Number): 1h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced People v. Uber Technologies, Inc., et al., (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On December 3, 2014, Tadeballi v. Uber Technologies, Inc. (CGC-14-543032) was commenced in San Francisco Superior Court as a putative class action against Uber Technologies Inc. The Tadeballi action is brought on behalf of a class of California residents. In the complaint, the plaintiff sets forth eight causes of action all related to Uber's practice of charging a \$4.00 "SFO Airport Fee Toll." The plaintiff's first cause of action arises under California Business and Professions Code section 17200, et seq., and the plaintiff seeks injunctive relief, as well as restitution, interest, and attorneys' fees.

The People's enforcement action and the Tadeballi lawsuit have only one thing in common: the Tadeballi action seeks to remedy one of the five unlawful business practices that are at issue in the People's enforcement action. There will likely be similar discovery sought and exchanged in both actions on this particular claim only. Otherwise, the actions will differ substantially. By way of example, the plaintiff in the Tadeballi action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, the unlawful airport fee toll, which represents the entirety of the private plaintiff's case, is but one of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 4 of 7

(Add pages as required)

Form Approved for Optional Use
Judicial Council of California
MC-025 (Rev. July 1, 2009)

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov

MC-025

SHORT TITLE:	CASE NUMBER:
PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CGC-14-543120

ATTACHMENT (Number): 2h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced People v. Uber Technologies, Inc., et al., (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber's makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On December 23, 2014, Philliben, et al., v. Uber Technologies, Inc., et al., (14-CV-05615-DMR) was commenced in the United States District Court for the Northern District of California as a putative class action against Uber Technologies, Inc., and Rasier LLC. The Philliben action is brought on behalf of a nationwide class. The Philliben complaint includes allegations related to only two of the five unlawful business practices at issue in the People's enforcement action: (1) Uber's practice of misrepresenting to consumers its "Safe Rides Fee;" and (2) the nature and character of the background checks and safety measures conducted in association therewith. Plaintiff alleges violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. Plaintiff seeks restitution and/or disgorgement, injunctive relief, interest, costs, and attorneys' fees.

The People's enforcement action and the Philliben lawsuit have only two things in common: both actions advance the claim that Uber misleads consumers as to the nature and character of its background checks, and that Uber unlawfully charges a "Safe Rides Fee." There will likely be similar discovery sought and exchanged in both actions on these two claims only. Otherwise, the actions will differ substantially. By way of example, the Plaintiff in the Philliben action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, Uber's misrepresentations as to its background checks and the unlawful "Safe Rides Fee," which represent the entirety of the private Plaintiff's case, are but two of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Furthermore, since Philliben hopes to represent a nationwide class, the geographic scope of the cases will vary significantly. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 5 of 7

(Add pages as required)

Form Approved for Optional Use
Judicial Council of California
MC-025 [Rev. July 1, 2009]

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov

MC-025

SHORT TITLE:	CASE NUMBER:
PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CGC-14-543120

ATTACHMENT (Number): 3h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced *People v. Uber Technologies, Inc., et al.*, (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On January 6, 2015, *Andrea Pappey v. Uber Technologies, Inc.* (15-CV-00064-EDL) was commenced in the United States District Court for the Northern District of California as a putative class action. The Pappey action is brought on behalf of a nationwide class or, in the alternative, a Massachusetts subclass. The Pappey complaint includes allegations related to only two of the five unlawful business practices at issue in the Enforcement Action: (1) Uber's practice of misrepresenting to consumers its "Safe Rides Fee," and (2) the nature and character of the background checks and safety measures conducted in association therewith. The plaintiff alleges violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The plaintiff also advances claims for breach of implied contract and unjust enrichment. The plaintiff seeks damages, injunctive relief, costs and attorneys' fees, as well as other relief.

The People's enforcement action and the Pappey lawsuit have only two things in common: both actions advance the claim that Uber misleads consumers as to the nature and character of its background checks, and that Uber unlawfully charges a "Safe Rides Fee." There will likely be similar discovery sought and exchanged in both actions on these two claims only. Otherwise, the actions will differ substantially. By way of example, the plaintiff in the Pappey action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, Uber's misrepresentations as to its background checks and the unlawful "Safe Rides Fee," which represent the entirety of the private plaintiff's case, are but two of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Furthermore, since Pappey hopes to represent a nationwide class, the geographic scope of the cases will vary significantly. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 6 of 7

(Add pages as required)

POS-030(P)

SHORT TITLE	People v. Uber Technologies, Inc., et al.	CASE NUMBER: CGC-14-543120
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ATTACHMENT TO PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL (PERSONS SERVED)

(This Attachment is for use with form POS-030)

NAME AND ADDRESS OF EACH PERSON SERVED BY MAIL:

<u>Name of Person Served</u>	<u>Address (number, street, city, and zip code)</u>
Laurence F. Pulgram (Defendant, CGC-14-543032)	Fenwick & West LLP, 555 California Street, 12th Floor, San Francisco, CA 94104
Mike Arias (Plaintiffs, 4:14-CV-05615-DMR)	Arias, Ozzello & Gignac, LLP, 6701 Cener Drive West, Suite 1400, Los Angeles, California 90045-7504
Steven D. Liddle (Plaintiffs, 4:14-CV-05615-DMR)	Liddle & Dubin, P.C., 975 E. Jefferson Avenue, Detroit, Michigan, 48207
Tina Wolfson (Plaintiff, 3:15-CV-00064-EDL)	Adhoot & Wolfson, PC, 1016 Palm Ave., West Hollywood, California, 90069
Uber Technologies, Inc., Rasier-CA, LLC, Rasier, LLC	National Registered Agents, Inc., 818 West Seventh Street, 2nd Floor, San Francisco, CA 90017

1 GEORGE GASCÓN, SBN 182345
District Attorney of San Francisco
2 JUNE D. CRAVETT, SBN 105094
Assistant Chief District Attorney
3 EVAN H. ACKIRON, SBN 164628
Managing Assistant District Attorney
4 ERNST A. HALPERIN, SBN 175493
Assistant District Attorney
5 NANCY TUNG, SBN 203236
Assistant District Attorney
6 GREGORY M. ALKER, SBN 204838
Assistant District Attorney
7 PHOEBE MAFFEI, SBN 271346
Assistant District Attorney
8 732 Brannan Street
San Francisco, California 94103
9 Telephone: (415) 551-9545

10 JACKIE LACEY, SBN 110808
District Attorney of the County of Los Angeles
11 STANLEY PHILLIP WILLIAMS, SBN 106658
Head Deputy District Attorney
12 HOON CHUN, SBN 132516
Assistant Head Deputy District Attorney
13 JEFFREY MCGRATH, SBN 131702
Deputy District Attorney
14 201 N. Figueroa Street, Suite 1200
Los Angeles, CA 90012

15 *Attorneys for Third Party,*
16 The People of the State of California

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 CITY AND COUNTY OF SAN FRANCISCO
19 UNLIMITED JURISDICTION

20 VAMSI TADEPALLI,

21 Plaintiff,

22 vs.

23 UBER TECHNOLOGIES, INC.,

24 Defendants.
25
26
27

Case No. CGC-14-543032

THE PEOPLE OF THE STATE OF
CALIFORNIA'S NOTICE OF RELATED
CASE UNDER CALIFORNIA RULE OF
COURT 3.300.

1 Third party, the People of the State of California, by George Gascón, District Attorney for
2 the City and County of San Francisco, and Jackie Lacey, District Attorney for the County of Los
3 Angeles hereby submit the enclosed Notice of Related Case pursuant to California Rule of Court
4 3.300.

5 DATED: January 16, 2015

GEORGE GASCÓN
District Attorney, City and County of San Francisco

7 BY: /s/ Ernst A. Halperin

Ernst A. Halperin
Assistant District Attorney

CM-015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Ernst A. Halperin (Bar # 175493) San Francisco District Attorney's Office 732 Brannan Street, San Francisco, CA 94103		FOR COURT USE ONLY
TELEPHONE NO.: 415-551-9545 FAX NO. (Optional): 415-551-9504 E-MAIL ADDRESS (Optional): ernst.halperin@sfgov.org ATTORNEY FOR (Name): THE PEOPLE OF THE STATE OF CALIFORNIA		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME:		
PLAINTIFF/PETITIONER: The People of the State of California DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.		CASE NUMBER: CGC-14-543120
NOTICE OF RELATED CASE		JUDICIAL OFFICER: DEPT.:

Identify, in chronological order according to date of filing, all cases related to the case referenced above.

1. a. Title: **Vamsi Tadepalli v. Uber Technologies, Inc.**
 b. Case number: **CGC-14-543032**
 c. Court: ☒ same as above
☐ other state or federal court (name and address):
 d. Department:
 e. Case type: ☐ limited civil ☒ unlimited civil ☐ probate ☐ family law ☐ other (specify):
 f. Filing date: **December 3, 2014**
 g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No
 h. Relationship of this case to the case referenced above (check all that apply):
☐ involves the same parties and is based on the same or similar claims.
☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
☐ involves claims against, title to, possession of, or damages to the same property.
☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
☒ Additional explanation is attached in attachment 1h
 i. Status of case:
☒ pending
☐ dismissed ☐ with ☐ without prejudice
☐ disposed of by judgment
2. a. Title: **Matthew Philliben, et al. v. Uber Technologies, Inc., et al.**
 b. Case number: **4:14-CV-05615-DMR**
 c. Court: ☐ same as above
☒ other state or federal court (name and address): **United States District Court, N.D. California**
 d. Department:

CM-015

PLAINTIFF/PETITIONER: The People of the State of California	CASE NUMBER:
DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CGC-14-543120

2. (continued)

e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☒ other (specify): FRCP 23

f. Filing date: December 23, 2014

g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No

h. Relationship of this case to the case referenced above (check all that apply):

- ☐ involves the same parties and is based on the same or similar claims.
- ☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- ☐ involves claims against, title to, possession of, or damages to the same property.
- ☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☒ Additional explanation is attached in attachment 2h

i. Status of case:

- ☒ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

3. a. Title: Andrea Pappey v. Uber Technologies, Inc.

b. Case number: 3:15-CV-00064-EDL

c. Court: ☐ same as above☒ other state or federal court (name and address): United States District Court, N.D. California

d. Department:

e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☒ other (specify): FRCP 23

f. Filing date: January 6, 2015

g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No

h. Relationship of this case to the case referenced above (check all that apply):

- ☐ involves the same parties and is based on the same or similar claims.
- ☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
- ☐ involves claims against, title to, possession of, or damages to the same property.
- ☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☒ Additional explanation is attached in attachment 3h

i. Status of case:


- ☒ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

4. ☐ Additional related cases are described in Attachment 4. Number of pages attached: _____

Date: January 15, 2015

Ernst A. Halperin

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)



(SIGNATURE OF PARTY OR ATTORNEY)

CM-015

PLAINTIFF/PETITIONER: The People of the State of California	CASE NUMBER:
DEFENDANT/RESPONDENT: Uber Technologies, Inc., et al.	CGC-14-543120

**PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF RELATED CASE**

(NOTE: You cannot serve the Notice of Related Case if you are a party in the action. The person who served the notice must complete this proof of service. The notice must be served on all known parties in each related action or proceeding.)

1. I am at least 18 years old and not a party to this action. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (specify):
732 Brannan Street, San Francisco, CA 94103
2. I served a copy of the *Notice of Related Case* by enclosing it in a sealed envelope with first-class postage fully prepaid and (check one):
 - a. ☒ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
3. The *Notice of Related Case* was mailed:
 - a. on (date): January 16, 2015
 - b. from (city and state): San Francisco, California
4. The envelope was addressed and mailed as follows:

a. Name of person served: Nanci Clarence (Atty for Defs 14-543120) Street address: 889 Ellis Street City: San Francisco State and zip code: CA 94109	c. Name of person served: Todd Schneider (Att for Plaintiff, CGC-14-543032) Street address: 180 Montgomery Street, Suite 2000 City: San Francisco State and zip code: CA 94104
b. Name of person served: John Roddy (Atty for Pl, CGC-14-543032) Street address: 125 Summer St., Suite 1030 City: Boston State and zip code: MA 02110	d. Name of person served: Pedro Jaile (Atty for Plaintiff, CGC-14-543032) Street address: 188 Summer Street City: East Boston State and zip code: MA 02128

☒ Names and addresses of additional persons served are attached. (You may use form POS-030(P).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 16, 2016

Vadim Rotberg

(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

MC-025

SHORT TITLE:	CASE NUMBER:
PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CGC-14-543120

ATTACHMENT (Number): 1h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced *People v. Uber Technologies, Inc., et al.*, (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On December 3, 2014, *Tadepalli v. Uber Technologies, Inc.* (CGC-14-543032) was commenced in San Francisco Superior Court as a putative class action against Uber Technologies Inc. The Tadepalli action is brought on behalf of a class of California residents. In the complaint, the plaintiff sets forth eight causes of action all related to Uber's practice of charging a \$4.00 "SFO Airport Fee Toll." The plaintiff's first cause of action arises under California Business and Professions Code section 17200, et seq., and the plaintiff seeks injunctive relief, as well as restitution, interest, and attorneys' fees.

The People's enforcement action and the Tadepalli lawsuit have only one thing in common: the Tadepalli action seeks to remedy one of the five unlawful business practices that are at issue in the People's enforcement action. There will likely be similar discovery sought and exchanged in both actions on this particular claim only. Otherwise, the actions will differ substantially. By way of example, the plaintiff in the Tadepalli action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, the unlawful airport fee toll, which represents the entirety of the private plaintiff's case, is but one of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 4 of 7

(Add pages as required)

Form Approved for Optional Use
Judicial Council of California
MC-025 (Rev. July 1, 2009)

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov

MC-025

SHORT TITLE:	CASE NUMBER:
PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CGC-14-543120

ATTACHMENT (Number): 2h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced *People v. Uber Technologies, Inc., et al.*, (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber's makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On December 23, 2014, *Philliben, et al., v. Uber Technologies, Inc., et al.*, (14-CV-05615-DMR) was commenced in the United States District Court for the Northern District of California as a putative class action against Uber Technologies, Inc., and Rasier LLC. The *Philliben* action is brought on behalf of a nationwide class. The *Philliben* complaint includes allegations related to only two of the five unlawful business practices at issue in the People's enforcement action: (1) Uber's practice of misrepresenting to consumers its "Safe Rides Fee;" and (2) the nature and character of the background checks and safety measures conducted in association therewith. Plaintiff alleges violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. Plaintiff seeks restitution and/or disgorgement, injunctive relief, interest, costs, and attorneys' fees.

The People's enforcement action and the *Philliben* lawsuit have only two things in common: both actions advance the claim that Uber misleads consumers as to the nature and character of its background checks, and that Uber unlawfully charges a "Safe Rides Fee." There will likely be similar discovery sought and exchanged in both actions on these two claims only. Otherwise, the actions will differ substantially. By way of example, the Plaintiff in the *Philliben* action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, Uber's misrepresentations as to its background checks and the unlawful "Safe Rides Fee," which represent the entirety of the private Plaintiff's case, are but two of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Furthermore, since *Philliben* hopes to represent a nationwide class, the geographic scope of the cases will vary significantly. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 5 of 7

(Add pages as required)

MC-025

SHORT TITLE: PEOPLE V. UBER TECHNOLOGIES, INC., et al.	CASE NUMBER: CGC-14-543120
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ATTACHMENT (Number): 3h

(This Attachment may be used with any Judicial Council form.)

On December 9, 2014, the District Attorney for the City and County of San Francisco and the District Attorney for the County of Los Angeles commenced People v. Uber Technologies, Inc., et al., (CGC-14-543120) in San Francisco Superior Court as a civil enforcement action on behalf of the People of the State of California against Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, "Uber"). The People are suing Uber over five unlawful business practices: (1) Uber misrepresents the measures it takes to ensure customer safety; (2) Uber uses a time and distance measuring device to calculate fares without having that device approved, as required by California law, by the California state agency charged with ensuring that measuring technology is accurate, reliable, and does not facilitate fraud; (3) Uber conducts operations at California airports without first obtaining the required permits from the airport authorities; (4) Uber charged an "Airport Fee Toll" to customers who travel to California airports when neither Uber nor its drivers pay a corresponding fee or toll for driving to the airport; and (5) Uber makes misrepresentations regarding its \$1.00 "Safe Rides Fee." The People allege violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The People seek civil penalties for each of these unlawful business acts and practices, injunctive relief, full restitution for all California consumers who paid any amount designated as an "Airport Fee Toll" which was not in fact charged by or paid to the airport authority, and full restitution for all California consumers who paid any amount designated as a "Safe Rides Fee."

On January 6, 2015, Andrea Pappey v. Uber Technologies, Inc. (15-CV-00064-EDL) was commenced in the United States District Court for the Northern District of California as a putative class action. The Pappey action is brought on behalf of a nationwide class or, in the alternative, a Massachusetts subclass. The Pappey complaint includes allegations related to only two of the five unlawful business practices at issue in the Enforcement Action: (1) Uber's practice of misrepresenting to consumers its "Safe Rides Fee," and (2) the nature and character of the background checks and safety measures conducted in association therewith. The plaintiff alleges violations of California Business and Professions Code section 17200, et seq., and section 17500, et seq. The plaintiff also advances claims for breach of implied contract and unjust enrichment. The plaintiff seeks damages, injunctive relief, costs and attorneys' fees, as well as other relief.

The People's enforcement action and the Pappey lawsuit have only two things in common: both actions advance the claim that Uber misleads consumers as to the nature and character of its background checks, and that Uber unlawfully charges a "Safe Rides Fee." There will likely be similar discovery sought and exchanged in both actions on these two claims only. Otherwise, the actions will differ substantially. By way of example, the plaintiff in the Pappey action will have to demonstrate standing for each member of the putative class under Proposition 64, will likely have to overcome the defense that the putative class agreed to arbitrate its claims, and will have to engage in discovery and motion practice related to class certification. The People, on the other hand, have no such procedural barriers to overcome. In addition, Uber's misrepresentations as to its background checks and the unlawful "Safe Rides Fee," which represent the entirety of the private plaintiff's case, are but two of the five unlawful business practices that are at issue in the People's enforcement action. Only the People can obtain civil penalties when businesses engage in unlawful business practices. Private plaintiffs cannot. Furthermore, since Pappey hopes to represent a nationwide class, the geographic scope of the cases will vary significantly. Thus, some of the same factual and legal issues will be raised in both lawsuits, but many more issues will be unique to each action.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

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(Add pages as required)

POS-030(P)

SHORT TITLE	People v. Uber Technologies, Inc., et al.	CASE NUMBER	CGC-14-543120
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ATTACHMENT TO PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL (PERSONS SERVED)

(This Attachment is for use with form POS-030)

NAME AND ADDRESS OF EACH PERSON SERVED BY MAIL:

<u>Name of Person Served</u>	<u>Address (number, street, city, and zip code)</u>
Laurence F. Pulgram (Defendant, CGC-14-543032)	Fenwick & West LLP, 555 California Street, 12th Floor, San Francisco, CA 94104
Mike Arias (Plaintiffs, 4:14-CV-05615-DMR)	Arias, Ozzello & Gignac, LLP, 6701 Cener Drive West, Suite 1400, Los Angeles, California 90045-7504
Steven D. Liddle (Plaintiffs, 4:14-CV-05615-DMR)	Liddle & Dubin, P.C., 975 E. Jefferson Avenue, Detroit, Michigan, 48207
Tina Wolfson (Plaintiff, 3:15-CV-00064-EDL)	Adhoot & Wolfson, PC, 1016 Palm Ave., West Hollywood, California, 90069
Uber Technologies, Inc., Rasier-CA, LLC, Rasier, LLC	National Registered Agents, Inc., 818 West Seventh Street, 2nd Floor, San Francisco, CA 90017